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Dennis R. Jones
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David Thomas



COMMISSION ON MENTAL HEALTH

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Authority: P. L. 243-2003

MEETING MINUTES¹

Meeting Date: October 28, 2004
Meeting Time: 10 A.M.
Meeting Place: State House, 200 W. Washington St.,
House Chambers
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Rep. Charlie Brown, Chairperson; Rep. Cindy Noe; Valerie N. Markley; Amy Cook-Lurvey; Richard Culver; Abigail Flynn; David M. Giles, M.D.; Galen Goode; Gloria Kardee; Loretta Kroin; Bryan Lett.

Members Absent: Sen. Connie Lawson; Sen. Vi Simpson; Donna Lisa Gibson; Dennis R. Jones; David Thomas; Robert N. Postlethwait.

I. Welcome

II. Presentation by Mr. Bill Glick, President, Indiana Juvenile Justice Task Force

Mr. Glick presented the Commission with a summary of "The Indiana Juvenile Detention Mental Health and Substance Use Assessment Project," a project that was initiated by the Indiana Juvenile Justice Task Force to answer questions relating to the extent and severity of mental illness and substance abuse disorders among youth who reside in county-run detention centers throughout the state. (Exhibits 1 & 2)

III. Discussion of Legislation

PD 3650: Seizing weapons from a mentally ill individual (Exhibit 3). This bill permits a law enforcement officer to seize a firearm possessed by an individual whom the officer reasonably believes to be mentally ill and dangerous. The bill requires the firearm to be returned to the

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

individual within 20 days unless a court finds that the individual is mentally ill and dangerous and that retention of the firearm by the law enforcement agency is appropriate. It permits a court to issue a search warrant for a firearm possessed by an individual believed to be mentally ill and dangerous. It also allows an individual whose firearm has been seized and retained to petition the court for review of the retention order once every six months. The bill authorizes a court to order a firearm retained by a law enforcement agency to be destroyed or otherwise disposed of after five years.

The Commission voted 11 to 0 to approve PD 3650 as amended.

IV. Presentation by Mr. Stephen McCaffrey, President, Mental Health Association of Indiana (MHA)

Mr. McCaffrey provided the Commission with an update on the work of the Juvenile Task Force, created by the Commission during the previous interim session. Mr. McCaffrey indicated that the Task Force had arrived at three conclusions/recommendations. They are as follows:

- (A) The Systems of Care Grant should be expanded; 48 counties currently do not have a grant.
- (B) Individuals are better served through diversion.
- (C) The Indiana juvenile system is misdirected. The Task Force agreed that juveniles are often inappropriately incarcerated without services. In addition, there is a huge gap in funding, both for current reimbursement of services and for those services that are needed.

V. Presentation by Ms. JauNae Hanger, Indiana State Bar Association

Ms. Hanger provided remarks (Exhibit 4) about the Children, Mental Health and the Law Summit which was held on August 27, 2004. More than 220 people attended the invitational conference from all areas of the state. The conference explored (1) how to increase screening, assessment, and treatment of children in the juvenile justice system; (2) what opportunities there are to use special education advocacy to help move children from the delinquency system into the educational system and link them with services that appropriately address underlying mental health needs; and (3) how Indiana should respond to the issue of juvenile competence to stand trial.

Ms. Hanger also provided the Commission with an article entitled, "Juvenile Mental Health Court: 2004 Rationale and Protocols" (Exhibit 5), and the October 2004 issue of the Journal of the Indiana State Bar Association (Exhibit 6).

VI. Presentation by Ms. Melanie Bella, Assistant Secretary, Office of Medicaid Policy and Planning; Mr. Stephen McCaffrey, President, MHA

Ms. Bella and Mr. McCaffrey testified to the Commission about a multidisciplinary group which came together to discuss methods for improving the communication between behavioral health and physical health providers (Exhibit 7). The group consisted of mental health advocates, managed care organizations, primary health care providers, the community mental health system, academics, and state officials. A form, the "Behavioral/Physical Health Coordination Form," was created by the group and was presented to the Commission.

VII. Presentation by Ms. Melanie Bella, Assistant Secretary, OMPP; Ms. Suzanne Clifford, Director, Division of Mental Health and Addiction

Ms. Bella and Ms. Clifford presented information relative to the Indiana Medicaid Mental Health Pharmacy Partnership (Exhibit 8). Information provided in their slide presentation included: (1) Project Goals; (2) Project Assumptions; (3) What the Project Does; (4) Definitions; (5) CNS

Quality Indicator Categories; (6) July Mailing; (7) Total BH Pharmacy Expenditures by Drug Class; (7) Total BH Pharmacy Claims vs. Those Flagged by Indicators; (8) Prescriber Fax Feedback as of August 3; (9) Key Project Outcome Questions; (10) How Results will be Measured; (11) Experience from Missouri; and (12) Targeted Outlier Prescriber Results.

VIII. Presentation by Mr. George Parker, Medical Director, DMHA; Mr. Jerry Vance, Department of Correction

Mr. Parker provided the Commission with an update on the Forensic Task Force which was created by the Commission during the previous interim session (Exhibit 9). Mr. Parker reviewed a criminal justice and mental health flow diagram (Exhibit 10) which was created by the Task Force.

Mr. Vance presented information on New Castle Correctional Facility (NCCF) (Exhibit 11). He reviewed the number and type of psychiatric unit beds; the number of high-security, behavioral adjustment range beds, the number and type of NCCF psychiatric unit discharges, the Wabash Valley Correctional Residential Treatment Unit, and other programming at NCCF.

VIII. Other Business

The Commission approved the following recommendations:

- (A) The Forensic Task Force should continue its work.
- (B) Future meetings should be held in community mental health centers (CMHCs).

The Commission approved the following recommendations for issues that should be examined during future sessions:

- (A) The Department of Correction forensic formulary.
- (B) Juvenile MI prevention.
- (C) Out-patient assisted living.

X. Closing

There being no further business, the meeting was adjourned.